

*20995*

Please Direct All Correspondence to Customer Number 20995

**TRANSMITTAL LETTER**  
**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Applicant : Dean S. Irwin  
 App. No : 10/799,337  
 Filed : March 12, 2004  
 For : TREATMENT OF SKIN DISORDERS  
 WITH UV LIGHT AND COOLING  
 Examiner : Ahmed M. Farah  
 Art Unit : 3739

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

February 21, 2006

(Date)

*Mark J. Gallagher*  
 Mark J. Gallagher, Reg. No. 43,622

**Mail Stop Amendment**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Supplemental Information Disclosure Statement and PTO/SB/08 equivalent for consideration listing thirty six (36) references, and enclosing ten (10) non-patent literature references;
- (X) A check in the amount of \$180.00 to cover the fee; and
- (X) A return prepaid postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.

*Mark J. Gallagher*  
 Mark J. Gallagher  
 Registration No. 43,622  
 Attorney of Record  
 Customer No. 20,995  
 (949) 760-0404

FEB 24 2005

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Applicant : Dean S. Irwin  
App. No : 10/799,337  
Filed : March 12, 2004  
For : TREATMENT OF SKIN DISORDERS  
WITH UV LIGHT AND COOLING  
Examiner : Ahmed M. Farah  
Art Unit : 3739

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

02/27/2006 BABRAXA1 00000010 10799337  
01 FC:1806 180.00 OP

Dear Sir:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing thirty six (36) references to be considered by the Examiner. Copies of the U.S. patent references are not submitted pursuant to 37 C.F.R. § 1.98(d). Copies of ten (10) non-patent literature references are enclosed herein.

Among the non-patent literature references enclosure herein is the International Search Report for International Application No. PCT/US01/49820 corresponding to the parent application U.S. Patent Application 09/694,086 to which the present application claims priority. The parent application, U.S. Patent Application 09/694,086, is also included herewith.

Additionally, a letter from Alan A. Limbach, an attorney representing Dean S. Irwin regarding co-pending U.S. Patent Application No. 10/462,375 is also included with the non-patent literature references. This letter was submitted with a Petition to File Declaration on Behalf of NonSigning Inventor Who Refuses to Sign Under 37 C.F.R. § 1.47(B) that was filed for co-pending U.S. Patent Application No. 10/462,375. A copy of co-pending U.S. Patent Application No. 10/462,375 is also is included herewith.

Applicant also discloses herein, in accordance with MPEP § 2001.06(c) related to identifying the existence of litigation, that to the best of the undersigned's knowledge, Mr. Irwin

Appl. No. : 10/799,337  
Filed : March 12, 2004

Docket No. PMEDEX.17CP1C  
Customer No. 20,995

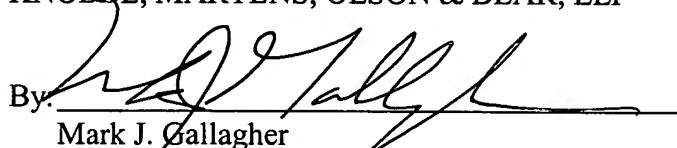
and RA Medical Systems, Inc., a company founded by Mr. Irwin, have been involved in multiple law suites with Mr. Irwin's former employer, PhotoMedex, Inc. In particular, to the best of the undersigned's knowledge, PhotoMedex, Inc. sued Dean Irwin and RA Medical in 2003 for conversion, breach of contract, interference with existing contracts, misappropriation of trade secrets and unfair competition; and to the best of the undersigned's knowledge PhotoMedex brought an action in 2004 against Mr. Irwin and RA Medical in Federal court under the Lanham Act for false advertising and two related claims under State of California law. Additionally, to the best of the undersigned's knowledge, Mr. Irwin and RA Medical sued PhotoMedex, the Chief Technology Officer of PhotoMedex, Jenkens & Gilchrist LLP (Photomedex's outside counsel) and Michael R. Matthias, Esq. of Jenkens & Gilchrist, on November 24, 2004 for malicious prosecution.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a final action and before the mailing date of a Notice of Allowance. This Statement is accompanied by the fees set forth in 37 C.F.R. § 1.17(p). The Commission is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410.

Respectfully submitted,

~~KNOBBE, MARTENS, OLSON & BEAR, LLP~~

Dated: 2/21/06

By: 

Mark J. Gallagher  
Registration No. 43,622  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

2294469  
011706

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT  
BY APPLICANT**

(Multiple sheets used when necessary)

SHEET 1 OF 2

Application No.	10/799,337
Filing Date	March 12, 2004
First Named Inventor	Dean S. Irwin
Art Unit	3739
Examiner	Ahmed M. Farah
Attorney Docket No.	PMEDEX.17CP1C

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	3,986,513	10/19/1976	Stuhl	
	2	4,095,113	6/13/1978	Wolff	
	3	4,103,175	7/25/1978	Levin	
	4	4,558,770	12/17/1985	Mutzhas	
	5	4,686,979	08/18/1997	Gruen et al.	
	6	4,891,818	01/02/1990	Levatter	
	7	4,927,231	05/22/1990	Levatter	
	8	4,930,504	06/05/1990	Diamantopolous et al.	
	9	5,109,465	04/28/1992	Klopotek	
	10	5,217,455	06/08/1993	Tan	
	11	5,300,097	04/05/1994	Lerner et al.	
	12	5,392,608	02/28/1995	Lee	
	13	5,620,478	04/15/1997	Eckhouse	
	14	5,658,323	08/19/1997	Miller	
	15	5,772,656	06/30/1998	Klopotek	
	16	5,820,626	10/13/1998	Baumgardner	
	17	5,836,999	11/17/1998	Eckhouse et al.	
	18	5,868,731	02/09/1999	Budnik et al.	
	19	5,944,748	08/31/1999	Mager et al.	
	20	5,955,840	09/21/1999	Arnold et al.	
	21	5,964,749	10/12/1999	Eckhouse et al.	
	22	5,989,283	11/23/1999	Wilkens	
	23	5,997,530	12/07/1999	Nelson et al.	
	24	6,027,495	02/22/2000	Miller	
	25	6,447,537	09/10/2002	Hartman	
	26	6,709,269	03/23/2004	Altshuler	

Examiner Signature	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

T<sup>1</sup> - Place a check mark in this area when an English language Translation is attached.

<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Multiple sheets used when necessary)</i>		Application No.	10/799,337
		Filing Date	March 12, 2004
		First Named Inventor	Dean S. Irwin
		Art Unit	3739
SHEET 2 OF 2		Examiner	Ahmed M. Farah
		Attorney Docket No.	PMEDEX.17CP1C

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>1</sup>
	27	FREEMAN, Robert G., et al., <i>Influence of Temperature on Ultraviolet Injury</i> , <i>Archives of Dermatology</i> , Vol. 89, June 1964, pp. 858-864.		
	28	GUTTMAN, Cheryl, <i>Vitiligo laser Tx called 'extraordinary': Small group of patients shows some repigmentation after six treatments</i> , <i>Dermatology Times</i> , December 2000, 2 pages.		
	29	PARRISH, John A., M.D., et al., <i>Action Spectrum for Phototherapy of Psoriasis</i> , <i>Journal of Investigative Dermatology</i> , Vol. 76, No. 5, 1981, pp. 359-362.		
	30	Business Wire, <i>Laser Photonics Inc. to Enter the Dermatology Market to Treat Psoriasis</i> , Company Press Release, Jan. 13, 1998, 2 pages.		
	31	Questek Excimer Laser, Series 2240 Manual, 1986, 54 pages.		
	32	Letter dated February 10, 2005 from Alan A. Limbach to Mark Gallagher re Patent Application No. 10/462,375, 2 pages.		
	33	U.S Patent Application No. 09/694,086, Filed 10/20/2000 (now Abandoned)		
	34	U.S. Patent Application No. 10/090,096, Filed 2/27/2002, Published as 2002/0183811 A1 (now Abandoned)		
	35	U.S. Patent Application No. 10/462,375, Filed 06/16/2003, Published as 2005/0177208 A1		
	36	International Search Report for International Application PCT/US01/49820 dated September 24, 2002		

2294349:sam/jzc  
011706

Examiner Signature	Date Considered
<b>*Examiner:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

<sup>T<sup>1</sup></sup> - Place a check mark in this area when an English language Translation is attached.